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ATTORNEY DOCKET NO. 10031290-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Inventor(s): Virgili G. Leenerts
Serial No.: 10/791,446
Filing Date: March 2, 2004
Title: Isolated DC-to-DC Converter

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria VA 22313-1450

Examiner: A. Wujcik
Group Art Unit: 2800/2817

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AUG 31 2005

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

Response/Amendment Petition to extend time to respond
 New fee as calculated below Supplemental Declaration
 No additional fee (Address envelope to "Mail Stop Amendments")
 Other: _____ (Fee \$ _____)

| CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY | | | | | | | |
|---|--|---------------------------------|--|----------------------------------|-------------|---------------------------|--|
| (1) FOR | (2) CLAIMS REMAINING AFTER AMENDMENT | (3) NUMBER EXTRA | (4) HIGHEST NUMBER PREVIOUSLY PAID FOR | (5) PRESENT EXTRA | (6) RATE | (7) ADDITIONAL FEES | |
| TOTAL CLAIMS | | MINUS | | = 0 | X 50 | \$ 0 | |
| INDEP. CLAIMS | | MINUS | | = 0 | X 200 | \$ 0 | |
| | | | | | + 360 | \$ 0 | |
| <input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM | | | | | | | |
| EXTENSION FEE | 1 ST MONTH 120.00 | 2 ND MONTH 450.00 | 3 RD MONTH 1020.00 | 4 TH MONTH 1590.00 | | \$ 0 | |
| | | | | | OTHER FEES | \$ 0 | |
| | | | | | | \$ 0 | |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT | | | | | | | |
| | | | | | | \$ 0 | |

Charge \$ 0 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 50-1078 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 50-1078 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this transmittal letter is enclosed.

Respectfully submitted,

Virgili G. Leenerts
By 
William S. Francos
Attorney/Agent for Applicant(s)

Reg. No. 38,456

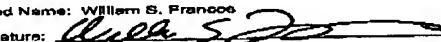
Date: August 31, 2005

Telephone No. (610) 375-3513

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below:

Date of facsimile: August 31, 2005

Typed Name: William S. Francos

Signature: 

Rev 06/05 (TransAmnd)

4

features:

8

filter of claim 1 in the known art. Rather, the Examiner has cobbled together a rejection based on an applied reference and an unsupported statement that such a low-pass filter is well-known. With regard to the latter, Applicant respectfully submits that an unsupported statement does not suffice as evidence of lack of

9

Appl. No. 10/791,446
Amendment and/or Reply
to the Office Action of 1 June 2005

patentability. Accordingly, Applicant respectfully requests the citation of applicable prior art. If the assertion of the low-pass filter is based on personal knowledge of the Examiner, an affidavit under 37 C.F.R. § 1.104 (d) (2) is respectfully requested. If the Examiner cannot cite prior art taken alone or in proper combination which would have produced the DC-to-DC converter of claims 1 then Applicants respectfully submit that they are entitled to an allowance of their claims as a matter of law. Accordingly, the Examiner is respectfully requested to cite prior art disclosing the device including all of the features recited in the claim 1, or else allow Applicants' claims.

Because the references to *Simopolous* and *Duerbaum, et al.* lack the disclosure of at least one of the features of claim 1, these references cannot serve to establish a *prima facie* case of anticipation thereof. Therefore, claim 1 and the claims that depend therefrom are patentable over the applied art. Allowance is solicited.

Rejections under 35 U.S.C. § 103

1. Claims 2-4 and 6 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Duerbaum, et al.*

Claim 2, 4 and 6 depend ultimately from claim 1, which for at least the reasons set forth above are patentable over the applied art. Therefore, it is respectfully submitted that claims 2, 4 and 6 are patentable over the applied art at least because of their dependence on claim 1.

The above notwithstanding, the rejections of claims 2-4 and 6 are improper for at least the following reasons. The Examiner asserts that one of ordinary skill in the art would have utilized the inputs claimed, since "applicant has not disclosed that the AC inputs solve any stated problem or is for any particular purpose." (Please refer to page 4 of the Office Action.)

First, it is again emphasized that a proper rejection requires the citation of applicable prior art. The Examiner does not provide any citation of such art in the present rejection. If this knowledge of the art is from the Examiner's personal

Appl. No. 10/791,446
Amendment and/or Reply
to the Office Action of 1 June 2005

knowledge, an affidavit under Rule 104(d) (2) is respectfully requested. If neither the required art nor the affidavit can be produced and properly applied, withdrawal of the rejection of claims 2-4 and 6 in view of *Duerbaum, et al.* is respectfully requested.

Furthermore, Applicant respectfully notes that the subject matter of claims 2-4 and 6 and the usefulness thereof is described in the filed application. For example, the benefits of the sinusoidal AC input voltage source and the four-stepped approximation of a sinusoidal AC voltage are described in the filed application at page 6, lines 1-11.

For at least the reasons set forth above, it is respectfully submitted that for at least the reasons set forth above, the a proper *prima facie* case of obviousness has not been established with regard to claims 2-4 and 6. Because a proper *prima facie* case of obviousness has not been established, it is respectfully requested that the rejection of claims 2-4 and 6 be withdrawn and that these claims be allowed.

2. Claims 2-4, 6, 11, 18-27, 29 and 30 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Simopolous*. For at least the reasons that follow, it is respectfully submitted that these claims are patentable over the applied art.

With particular regard to claims 2-4, 6 and 23-25, the Examiner relies on reasoning that is nearly identical to the rejection of claims 2-4 and 6 in view of *Simopolous* discussed above. Applicant respectfully reiterates the impropriety of this rejection for the reasons set forth above and requests a proper citation or an affidavit as discussed previously.

Claims 18 and 22 are independent claims and include features similar to claim 1 noted above. In particular, claim 18 features "...means for low-pass-filtering the switched DC voltage to yield a primary AC voltage..."; and claim 22 features "...low-pass-filtering the switched DC voltage to yield a primary AC voltage..."

As noted previously, the Examiner recognizes that *Simopolous* lacks the

Appl. No. 10/791,446
Amendment and/or Reply
to the Office Action of 1 June 2005

disclosure of the low-pass filter coupled to the primary windings of the transformer and the filtering of the switch DC voltage to yield a primary AC voltage. For reasons set forth in detail above with regard to the rejection of claim 1, it is respectfully submitted that the rejection of claims 18 and 22 are improper. Accordingly, Applicant respectfully requests the citation of applicable prior art. If the assertion of the low-pass filter is based on personal knowledge of the Examiner, an affidavit under 37 C.F.R. § 1.104 (d) (2) is respectfully requested. If the Examiner cannot cite prior art taken alone or in proper combination which would have produced the DC-to-DC converter of claims 1 then Applicants respectfully submit that they are entitled to an allowance of their claims as a matter of law. Accordingly, the Examiner is respectfully requested to cite prior art disclosing the device including all of the features recited in the various claims 18 and 22, or else allow Applicants' claims.

For at least the reasons set forth above, it is respectfully submitted that the rejection of independent claims 18 and 22 is improper and should be withdrawn. Thus, claims 18 and 22 and the claims that depend therefrom are believed to be patentable over the applied art. Allowance is earnestly solicited.

Conclusion

In view of the foregoing, Applicant respectfully requests that the objections and rejections of record be withdrawn, and all pending claims be allowed. If any remaining issues can be resolved through a personal or telephonic interview, the Examiner is invited to contact the undersigned at the telephone number listed below.

Appl. No. 10/791,446
Amendment and/or Reply
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Respectfully submitted on behalf of:
Agilent Technologies, Inc.



by: William S. Francos (Reg. No. 38,456)

Date: August 31, 2005

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